

ORDINANCE NO. 20080410-065

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO CERTAIN TRACTS AND TO AMEND THE ZONING MAP TO CHANGE THE BOUNDARIES OF THE VERTICAL MIXED USE OVERLAY (VMU) DISTRICT TO EXCLUDE TRACTS 1-4, 8-10, AND 23-25, LOCATED IN THE ROSEDALE NEIGHBORHOOD PLANNING AREA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a vertical mixed use building (V) combining district to certain tracts (the "Property") described in Zoning Case No. C14-2008-0004, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 27.4 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Rosedale Neighborhood Planning Area*),

located in the Rosedale neighborhood planning area, locally known as the area bounded by Hancock Drive and West North Loop Boulevard on the north, Burnet Road and 45th Street on the east, North Mo-Pac Expressway on the west, and West 35th Street and West 38th Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

Except as specifically provided in this ordinance, the existing base zoning districts, combining districts, and other conditions remain in effect.

PART 2. The zoning districts on the Property are changed from limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, general commercial services (CS) district, and commercial-liquor sales (CS-1) district, to limited office-vertical mixed use building (LO-V) combining district, neighborhood commercial-vertical mixed use building (LR-V) combining district, community commercial-vertical mixed use building (GR-V) combining district, general commercial services-vertical mixed use building (CS-V) combining district, and commercial-liquor sales-vertical mixed use building (CS-1-V) combining district, as more particularly described and identified in the chart below:

TRACT #	TCAD PROPERTY ID	COA ADDRESS	FROM	TO
5	121463	0 W 35TH ST LOT 6 *LESS S4.97' & W10'AV LOT 7 *LESS W10'AV BLK 7 OAKMONT HEIGHTS + VAC ALLEY & 1X173' VAC ST	CS	CS-V
6	121477	1700 W 35TH ST	CS	CS-V
		1702 W 35TH ST		
		1712 W 35TH ST		
		3500 JEFFERSON ST		
7	119378	1612 W 35TH ST	CS	CS-V
	119388	1610 W 35TH ST	CS	CS-V
11	119445	1512 W 35TH ST	GR	GR-V
12	119443	3704 CRAWFORD AVE	GR; CS-1	GR-V; CS-1-V
	119444	0 W 35TH ST LOT 1-3 BLK 17 GLENRIDGE LESS SE PT IN ST & SW PT ALLEY	GR	GR-V
13	217760	1204 W 38TH ST	LR; LO; GR	LR-V; LO-V; GR-V
		1217 1/2 W 39TH ST		
	217765	1206 W 38TH ST	CS-1	CS-1-V
14	217766	1106 W 38TH ST	CS; GR	CS-V; GR-V
15	217835	1010 W 38TH ST	CS	CS-V
		3800 1/2 N LAMAR BLVD		
		3800 N LAMAR BLVD		
16	217838	3910 N LAMAR BLVD	CS	CS-V
	217839	3906 N LAMAR BLVD	CS	CS-V
	217840	0 N LAMAR BLVD W 143 FT OF LOT 6 BLK 3 SEIDERS H B SUBD	CS	CS-V
17	359180	3914 N LAMAR BLVD	CS	CS-V
		3918 N LAMAR BLVD		
18	217854	4018 N LAMAR BLVD	CS	CS-V
	217855	4010 N LAMAR BLVD	CS	CS-V
		4012 N LAMAR BLVD		
		4014 N LAMAR BLVD		
	217856	4008 N LAMAR BLVD	CS	CS-V
	217857	4006 N LAMAR BLVD	CS	CS-V

TRACT #	TCAD PROPERTY ID	COA ADDRESS	FROM	TO
	217858	4004 N LAMAR BLVD	CS	CS-V
	217859	4002 N LAMAR BLVD	CS	CS-V
19	217869	4106 N LAMAR BLVD	CS	CS-V
	217871	4104 N LAMAR BLVD	CS	CS-V
	217873	4108 N LAMAR BLVD	CS	CS-V
	217868	0 N LAMAR BLVD LOT 11-12 * & E 82FT OF LOT 13-15 BLK 3 LEES HILL ADDN	CS	CS-V
20	500410	4200 N LAMAR BLVD	CS	CS-V
21	219939	1003 W 44TH ST	CS	CS-V
		4330 N LAMAR BLVD		
	219942	4322 N LAMAR BLVD	CS	CS-V
		4324 N LAMAR BLVD		
		4326 N LAMAR BLVD		
	219943	4300 1/2 N LAMAR BLVD	CS	CS-V
		4300 N LAMAR BLVD		
		4316 N LAMAR BLVD		
		4318 N LAMAR BLVD		
		4320 N LAMAR BLVD		
22	219957	4412 N LAMAR BLVD LOT 16-A LESS .029AC BLK 4 ALTA VISTA RESUB OF LOT 16-18 LOT 19 LESS .009AC, LOT 20 LESS .009AC, LOT 21 LESS .009AC & LOT 22 LESS .01AC BLK 4 ALTA VISTA PLUS PART VAC STREET	CS; CS-1	CS-V; CS-1-V
		4406 N LAMAR BLVD		
		4402 N LAMAR BLVD		
		4400 N LAMAR BLVD		
	219963	1007 W 45TH ST	CS	CS-V
		4420 N LAMAR BLVD		
		4424 1/2 N LAMAR BLVD		
		4428 N LAMAR BLVD		
		4444 N LAMAR BLVD		
26	224830	4818 BURNET RD	CS	CS-V

TRACT #	TCAD PROPERTY ID	COA ADDRESS	FROM	TO
	224831	0 BURNET RD LOT 10 *LESS E 104.1 SQ FT BLK 34 ROSEDALE H	CS	CS-V
	224832	4808 1/2 BURNET RD	CS	CS-V
		4810 BURNET RD		
	224833	4710 BURNET RD	CS	CS-V
		4718 BURNET RD		
		4800 BURNET RD		
		4806 BURNET RD		
	224838	4708 BURNET RD	CS	CS-V
27	224839	1402 W 47TH ST	CS	CS-V
		4704 BURNET RD		
	224704	2105 HANCOCK DR	CS	CS-V
	224705	5010 BURNET RD	CS	CS-V
	224706	5000 BURNET RD	CS	CS-V
		5004 BURNET RD		
		5006 BURNET RD		
	224707	4930 BURNET RD	CS	CS-V
	224708	4922 BURNET RD	CS	CS-V
	224709	4902 BURNET RD	CS	CS-V
	224721	5020 BURNET RD	CS	CS-V
	224722	4912 BURNET RD	CS	CS-V
		4914 BURNET RD		
28	227642	2110 W 49TH ST	CS	CS-V
		4910 BURNET RD		
		5200 BURNET RD	CS; GR; CS-1	CS-V; GR-V; CS-1-V
		5202 1/2 BURNET RD		
		5222 1/2 BURNET RD		
		5222 BURNET RD		
		5242 1/2 BURNET RD		
		5244 BURNET RD		
		5250 BURNET RD		
	227643	5202 BURNET RD	CS	CS-V
	227644	5138 BURNET RD	CS	CS-V
	227645	5134 BURNET RD	CS	CS-V
	227646	5128 BURNET RD	CS	CS-V

TRACT #	TCAD PROPERTY ID	COA ADDRESS	FROM	TO
	227647	5124 BURNET RD	CS	CS-V
		5126 BURNET RD		
	227648	5120 BURNET RD	CS	CS-V
	227649	5118 BURNET RD	CS	CS-V
	227650	0 BURNET RD LOT 8 BLK 10 ROSEDOWN	CS	CS-V
	227651	5100 BURNET RD	CS	CS-V
	476862	5256 1/2 BURNET RD	CS	CS-V
		5256 BURNET RD		

PART 3. The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.
- B. The following applies to Tracts 5-7, 11-12, and 28:
 - 1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
 - 2. The property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).
 - 3. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.
- C. The following applies to Tracts 15-22, and 26-27:
 - 1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
 - 2. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.

3. For a vertical mixed use building development, an eight-foot high solid wall is required along a property line that abuts an adjacent property zoned residential.

D. The following applies to Tracts 13 and 14:

1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
2. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.
3. For a vertical mixed use building development, an eight-foot high solid wall is required along a property line that abuts an adjacent property zoned residential.
4. The maximum residential density is 36 units per acre for a vertical mixed use building development.


PART 4. The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tracts 1-4, 8-10, and 23-25, located as shown in this Part and identified on Exhibit "A". These tracts are not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).


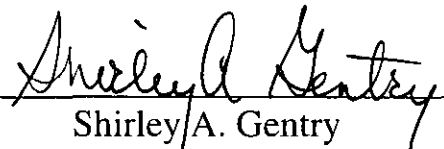
TRACT #	TCAD PROPERTY ID	COA ADDRESS
1	121562	1906 W 35TH ST
		1910 W 35TH ST
	121563	1912 W 35TH ST
2	121560	1902 W 35TH ST
		3500 OAKMONT BLVD
3	121363	1818 W 35TH ST
	121364	1820 W 35TH ST
	121365	1822 W 35TH ST
	121370	1814 W 35TH ST
4	121360	1800 W 35TH ST
		1802 W 35TH ST
8	119387	1608 W 35TH ST

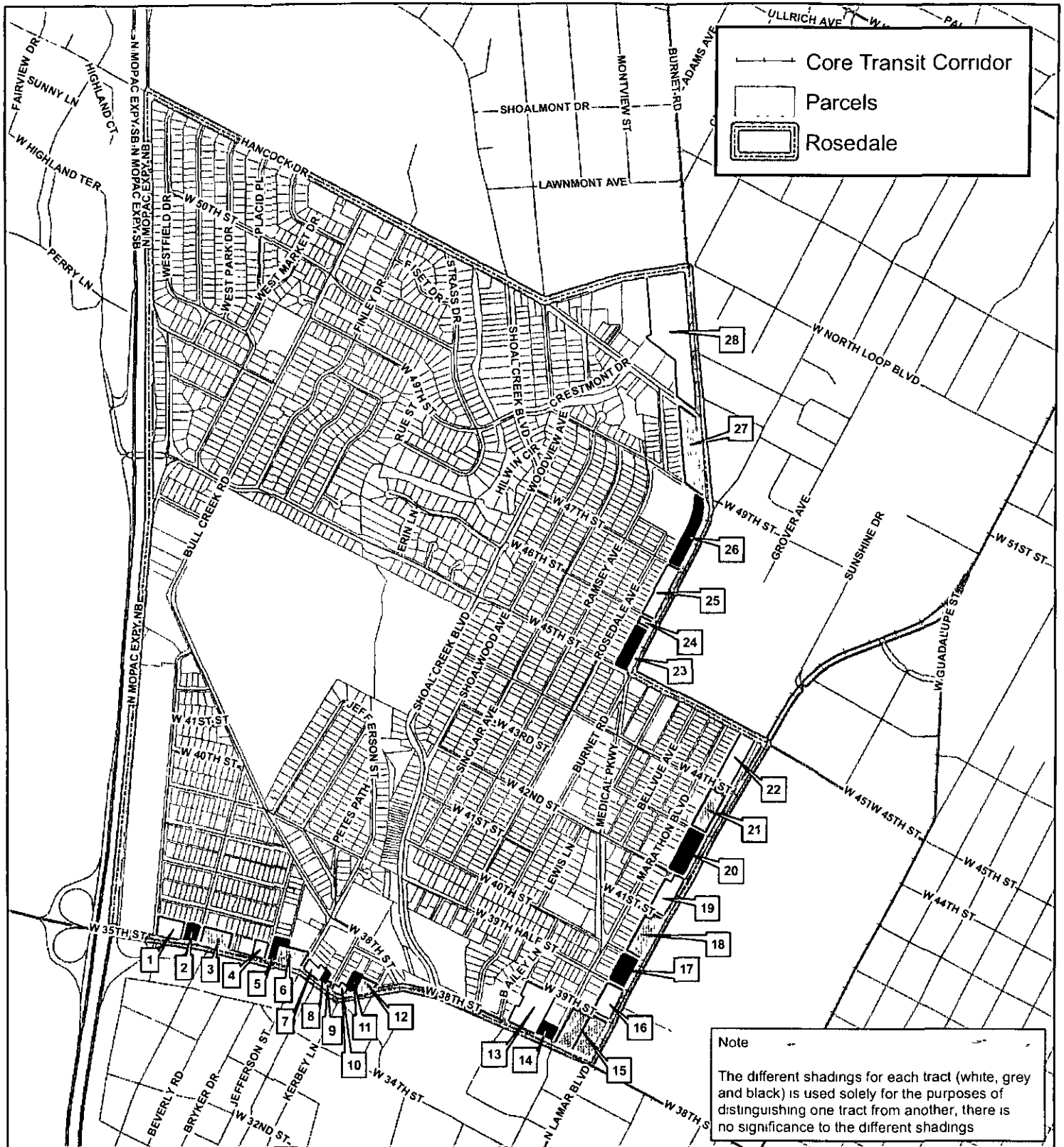
TRACT #	TCAD PROPERTY ID	COA ADDRESS
9	119386	1600 W 35TH ST
10	119446	0 W 35TH ST LOT 1 *LESS NW 65X53.9 JEFFERSON STREET ADDN LESS PORTION IN STREET
23	224618	4522 BURNET RD
	224619	4520 BURNET RD
	224620	4518 BURNET RD
	224621	4516 BURNET RD
	224622	0 BURNET RD LOT 4 BLK 24 ROSEDALE F
	224623	4508 1/2 BURNET RD
		4508 BURNET RD
	224624	4504 BURNET RD
	224625	4500 BURNET RD
24	224616	1407 W 46TH ST
		4526 BURNET RD
		4538 1/2 BURNET RD
25	224507	1403 W 47TH ST
	224508	4634 BURNET RD
		4636 BURNET RD
	224509	4630 BURNET RD
	224510	4626 BURNET RD
	224511	4622 BURNET RD
		4624 BURNET RD
	224512	4618 BURNET RD
	224513	4612 BURNET RD
	368903	1406 W 46TH ST
		4600 BURNET RD
		4604 BURNET RD

PART 5. This ordinance takes effect on April 21, 2008.

PASSED AND APPROVED

_____, April 10 _____, 2008 §
 §
 § _____ 
 Will Wynn
 Mayor

APPROVED:  _____ **ATTEST:**  _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



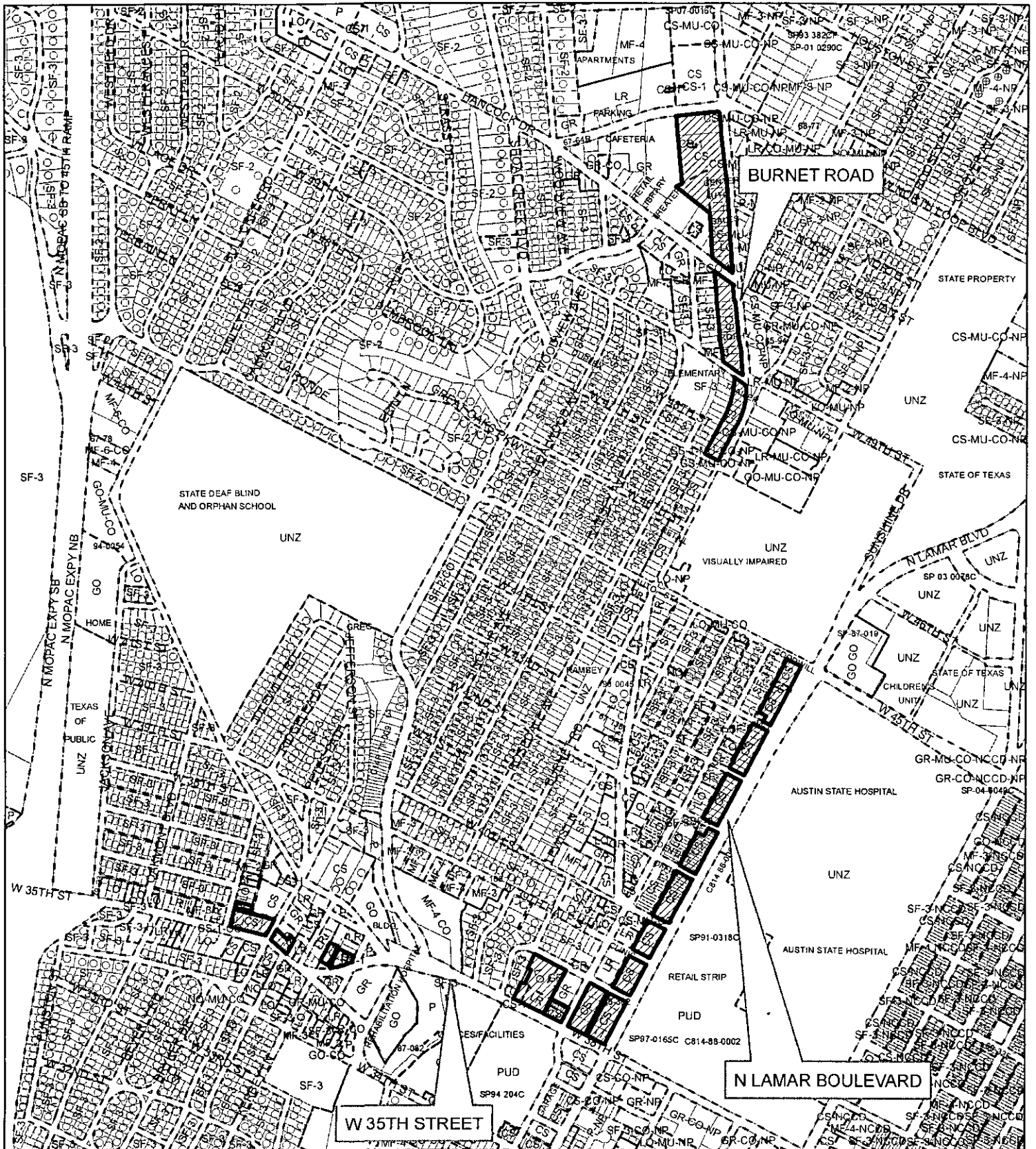
Rosedale Neighborhood Planning Area EXHIBIT A **Vertical Mixed Use (VMU) Overlay District** **Tract Map** **C14-2008-0004**

0 500 1,000 2,000 Feet

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.






Produced by City of Austin
 Neighborhood Planning and Zoning Dept
 January 8, 2008



ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0004
 ADDRESS ROSEDALE PLANNING AREA
 SUBJECT AREA 27.4 ACRES
 GRID H25-26 J27-27
 MANAGER A. HOLUBECK

OPERATOR S MEEKS

1" = 1000'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

